

IMPORTANT ANNOUNCEMENT

THE TRUSTEES OF E. M. GATTLE & CO.
MR. JAMES G. CANNON, CHAIRMAN.

DIRECT. THE REDUCTION, BY MEANS OF
RADICAL PRICE REVISION

OF OUR PRESENT LARGE STOCK OF FINE
JEWELRY, PEARLS AND PRECIOUS STONES.
WE SHALL ACCORDINGLY OFFER TO ALL
PURCHASERS, FOR A LIMITED TIME, THE
OPPORTUNITY TO MAKE SELECTIONS AT VERY
LIBERAL DISCOUNTS.

E. M. GATTLE & CO.

GOLDSMITHS AND JEWELERS
FIFTH AVENUE AND THIRTY-EIGHTH STREET

ALLEE CAN'T GET \$10,000.

Referee Disallows His Claims against
Defendant Belcher.

Referee Edwin G. Adams at Newark
today in an opinion he forwarded
to the United States District Court in the
bankruptcy proceedings instituted by
George W. Allee against the estate of
William H. Belcher, ex-Mayor of Paterson,
who is now in State prison, disallowed the
claims of the former, which aggregated
\$10,000.

Belcher and Allee were president and
secretary of the Manchester Building
and Loan Association of Paterson, accord-
ing to the opinion. One of the claims for
\$4,750 was a loan on a note of the bank
association signed by both officers and
discounted at a bank. The note was not
paid. Another claim was for \$1,500 on a
note discounted at the Citizens Trust
Company and shares of stock of the
Manchester Building and Loan Association
pledged as collateral.

The opinion reads that when the bank
demanded the collateral Allee falsified a
book representing shares of stock, the
book having matured and the obligations
of the association on the book having
been discharged. A check for \$3,663.59, representing a note of Belcher
for which the credit on books of the loan
association had been given by Allee as
treasurer.

ADLER'S ACTORS QUIT WORK.

Wouldn't Break Union Rules and Double
Up on Theaters.

As the result of a little misunderstanding,
which Jacob Adler, the Yiddish actor,
has had with his company from twenty
to twenty-five East Side players and
themselves out of the job to-day. It seems
that Mr. Adler, who, together with Leo-
pold Spachner, runs the Windsor Theatre
at 45 Bowery, had a mind to take over
the Star Theatre at Lexington avenue
and 107th street. Each enterprise was
unprofitable, but Mr. Adler thought they
might be made to pay by working the
companies alternately downtown and
uptown.

When the actors heard of the contem-
plated arrangement they rebelled. They
had been hired to play in the Windsor
theatre, and as good members of the
Hebrew Actors' Guild of Union, Local 7,
they couldn't stand for being made to
play uptown too. So last night when the
actors came around to work they found
the theatre closed.

Meanwhile Bernstein and Heine, who
were running the Star Theatre, had shut
down on account of bad business, so that
there is now a company up in Harlem
which also is missing money. In addition
Adler and Spachner have the sacred
concert booking at the Grand Theatre,
but unless their labor troubles are ad-
justed before that time the show will
also be kept dark next Sunday night,
it is said.

THEY WERE MARRIED TWICE.

One Ceremony in April (Secret); the Next
in November (Public).

HACKENSACK, N. J., Nov. 9.—A marriage
ceremony was performed on Saturday
for Harold B. Higbie of Ridgeland
Park and Miss Bertha Amanda Bowman of
Caton, N. J., at the personage of the
Rev. A. H. Limouze. The witnesses were
David and Miss Anna Higbie, brother and
sister of the bridegroom.

It was reported to-day that Mr. and
Mrs. Harold B. Higbie were married on
April 7, by Justice of the Peace C. P. Beach.
The couple that night slipped away from
a card party at the Higbie residence and
went to her home in New York State,
and remained there until she went to
Ridgeland Park for the "regular" wedding
on Saturday night.

The bride is trying to find out who ex-
posed the secret of the first wedding.

BRANDENBURG BACK IN COURT.

Wife Says He's Shy on His \$12 Pay-
ments to Her.

Broughton Brandenburg, who is under
indictment in connection with the sale
to the "Times" of the "Cleveland letter,"
was arrested yesterday for failing to
pay his wife \$12 a week as ordered last
July by a Magistrate.

Brandenburg was first arrested by his
wife, Valerie, on June 24, and after several
appearances in court was put under
bonds to pay her \$12 a week. He did so
until last week. In Jefferson Market
court Magistrate Corrigan set the case
for to-morrow in the Tombs court be-
fore Magistrate Walsh, who ordered the
original bond and paroled the pri-
soner in custody of his counsel, Samuel
Taylor, chairman of the speakers' bureau
of the Democratic national committee.

Brandenburg explained in court that
he was somewhat short of cash because
of the expense he had been put to in
fighting the Cleveland letter charge.

So of Course It's a Fraud.

RED BANK, N. J., Nov. 9.—James H.
Rowland, a farmer who lives near Eatons-
town, bought an old violin at an auction
sale two years ago, paying \$2. A man
who examined it to-day said it is worth
more than \$6,000.

WOULD BAIL HOLD MORSE?

WITH PARIS CALLING HIM BE-
YOND REACH OF EXTRADITION?

That's the Question Put Up to U. S. Circuit
Court of Appeals Along With the Con-
flicting Assertions That He's Broke
and That He's Very Far From It.

Some plain things were said in the
United States Circuit Court of Appeals
yesterday afternoon when the order
to show cause why Charles W. Morse
should not be admitted to bail came up
for argument and hearing. The matter
of Morse's personal character as affect-
ing the likelihood of his appearance when
wanted should bail be allowed was dis-
cussed freely and frankly both by his
counsel and the representatives of the
Government.

Whether or not Morse will be admitted
to bail is still a matter of doubt. The
decision of the court, Judges Lacombe,
Coxe and Wood sitting, may be an-
nounced to-day. In the meantime Morse
remains in the Tombs.

When the court convened yesterday
Wallace Macfarlane, upon whom has
fallen the brunt of the legal battle for
Morse, continued his valiant fight by as-
serting a plea as he could make for the
admission of "the Little Man" of the Bank
of North America to bail. He cited de-
cisions of the Federal courts in the cases
of the United States against Kavanagh
and McKnight against the United States,
in which there was conviction for the
embezzlement of national bank funds,
and also other precedents.

Mr. Macfarlane said to the court that
if the appearance of Morse could be se-
cured at the termination of the hearing
on the writ of error which has been sued
out there was no reason for refusing to
admit the defendant to bail. The court
need not consider the seriousness of the
alleged error at trial at all. Judge Hough
had pointed out in a memorandum which
he had made a part of the record that the
Circuit Court of Appeals had power to
grant bail, but that it was a discretionary
power, "as it is," said Mr. Macfarlane.

"It is preposterous on the face of the
records," Mr. Stimson went on, "for him
to plead impoverishment now. The offense
is undeniably unextraditable. The treaty
with France can hardly be held to
cover it. Necessarily there must be all
the time before him the advantages of a
sojourn in Paris over the prospect held
out to him by the Government here."

"Ordinarily a man's friends go on his
bond and he is in honor bound to them
and they in turn are bound to go to all
lengths to produce him. I understand
that it is here proposed that a bonding
company go on the bond if the accused
is admitted to bail. A bonding company
is on his bond and he is bound to the
two indictments pending against him in
the State courts."

"Judge Benedict refused to accept a
bond on the very ground that an indem-
nity had been accepted by the bondsman
in a case presented before him. A bond-
ing company accepts an indemnity and
then goes on the bond. The question in
this case reduces to a mere matter of
dollars and cents—in the case of a rich
man whether it is worth while to take the
chances of affirmation of sentence or for-
feit the bond, which to a rich man is a
comparatively insignificant sum."

Mr. Stimson referred the court to the
case of the United States against Fish,
in which after Fish was convicted in March,
1885, for wrongfully accepting a bribe of
a national bank he was committed as soon
as the jury retired, whereas Morse was
not committed until after the jury had
retired. He said that the Government kept
him in custody until the legality of his con-
viction was affirmed in June.

In custody, Mr. Stimson said, Morse
would have every expedient of his ap-
peal, whereas he reminded them of the
honors that the process was always
slower when a defendant was out on bail.
And the list of prominent offenders
who have jumped their bail and kept in
this district, said Mr. Stimson, is ap-
palling.

He mentioned several, some of whom
had jumped bail for as much as \$20,000.
He spoke of Greene and Gaylor and he
spoke also of two lesser criminals, Tucker
and Parker, who appealed and had only
very recently been released. He said that
very few of those who jump bail and re-
main in this district (the District Attorney's
office was now trying in vain to ascertain
where they were) are ever brought to
justice.

Mr. Macfarlane referred to the case
of John R. Walsh of Chicago, whose trial
lasted six weeks to Morse's three, who
was convicted upon fifty-four counts
to Morse's fifty-three counts, who was
sentenced to five years to Morse's fifteen
years, and who was admitted to
bail and is now at liberty in the sum of
\$50,000.

"The only reason that I can imagine
for opposing the admission of Morse to
bail is that he is a criminal," said Mr.
Macfarlane. "He is a criminal in the
District Attorney's profound conviction that
Morse is an unscrupulous person, a very
bad man, and will attempt to escape.
That can be said of every man admitted
to bail."

Mr. Macfarlane also referred to the
Eighth amendment to the Constitution
in the matter of excessive bail, and sug-
gested that the court should demand
bail in a greater sum than the accused
could get to deny bail. Referring
further to the terms of the bond, if bail
were granted, he said that it would take
at least three months to prepare the
case for argument on the writ of error
(which this same court is to hear). "As
to the Government's contention that the
error is a reversal of the belief that they
will be a reversal on review," said he, "I
have not had time enough to make a
complete argument, but I believe that
many counts would be dismissed on the
appeal. Judge Cox interrupted to ask whether
the judgment would not stand even if
all but two of them were dismissed. He
replied that the judgment would stand
even if all but two of them were dismissed.
He said that the Government was not
willing to waive the error, and that if all
but one of them were dismissed the sen-
tence would still stand up to the term
of ten years, although in that case with
a provision for application for a reduction
of sentence.

Mr. Macfarlane said that no intent to
deceive the bank examiners or the Com-
ptroller was shown on the part of Morse.
He excepted to that part of Judge
Hough's charge which told the jury
that they were entitled to presume knowl-
edge of falsity of an entry from the entry
itself.

"This I hold," said Mr. Macfarlane,
"is against the presumption of innocence
which runs until conviction, although
of course I am aware that this presump-
tion ceases then."

In opposing the application for bail
District Attorney Stimson said that as
the Government had a most careful and
discreetly he believed that it should
be exercised primarily by the trial judge.
He said that the Government was not
surrounding the case, and his decision
therefore, the District Attorney thought,
was entitled to great weight. There were
really only two questions to be considered
in the matter of the application. "First,"
there was any ground on which the de-
cision of the court below could be set aside?
Second, would bail be efficacious in se-
curing the presence of the convicted when
wanted? This conviction was on fifty-
three counts, nearly all of them on dif-
ferent transactions, and the affirmation
of the two of them would sustain the en-
tire judgment; the affirmation of any one
would sustain the bulk of the sentence.

"Judge Hough's charge throughout,"
said Mr. Stimson, "was a most careful
epitome of the banking law as laid down
by the Supreme Court, and in that respect
it is one of the most wonderful charges
of which I ever heard. So the plaintiff
in error, if he upsets it, must overrule
the judgments of that court carefully
laid down."

Mr. Stimson said that Justice Holmes
in a recent decision had said a great deal
in three lines when he wrote: "At the
present time there is more danger in
this country that he will be a victim of
justice than that he will be a victim of
tyranny."

Mr. Stimson recited that the presump-
tion of innocence now, after convic-
tion, was succeeded in law by a presump-
tion of guilt. As to bail not being effec-
tive to produce Morse, he referred to
Morse's testimony on the trial that his
transactions in a comparatively short

period had amounted in items passing
through his personal account alone to
\$55,000,000 and that they were so large
that the accusations against him on the
trial were trifles. He had also testi-
fied that he had received 100 per cent
of the stock of the Bank of North America
from the Government here.

Judge Lacombe—Did he testify what his
indebtedness was? A. No.

"It is preposterous on the face of the
records," Mr. Stimson went on, "for him
to plead impoverishment now. The offense
is undeniably unextraditable. The treaty
with France can hardly be held to
cover it. Necessarily there must be all
the time before him the advantages of a
sojourn in Paris over the prospect held
out to him by the Government here."

"Ordinarily a man's friends go on his
bond and he is in honor bound to them
and they in turn are bound to go to all
lengths to produce him. I understand
that it is here proposed that a bonding
company go on the bond if the accused
is admitted to bail. A bonding company
is on his bond and he is bound to the
two indictments pending against him in
the State courts."

The superiority of

our Trinity Process for three

color reproduction is due to

the most reasonable causes.

It is direct; therefore, faith-

fully accurate. It is applicable

to all colors. It is compara-

tively inexpensive.

It gives you the finished pic-

ture just as it appears in the

original rather than as the

imagination of some artist tells

him it should appear.

American Bank Note

Company

Broad and Beaver Sts., New York

Boston Philadelphia Baltimore Atlanta

Pittsburg St. Louis San Francisco

period had amounted in items passing

through his personal account alone to

\$55,000,000 and that they were so large

that the accusations against him on the

trial were trifles. He had also testi-

fied that he had received 100 per cent

of the stock of the Bank of North America

from the Government here.

Judge Lacombe—Did he testify what his

indebtedness was? A. No.

"It is preposterous on the face of the

records," Mr. Stimson went on, "for him

to plead impoverishment now. The offense

is undeniably unextraditable. The treaty

with France can hardly be held to

cover it. Necessarily there must be all

the time before him the advantages of a

sojourn in Paris over the prospect held

out to him by the Government here."

"Ordinarily a man's friends go on his

bond and he is in honor bound to them

and they in turn are bound to go to all

lengths to produce him. I understand

that it is here proposed that a bonding

company go on the bond if the accused

is admitted to bail. A bonding company

is on his bond and he is bound to the

two indictments pending against him in

the State courts."

"Judge Benedict refused to accept a

bond on the very ground that an indem-

nity had been accepted by the bondsman

in a case presented before him. A bond-

ing company accepts an indemnity and

then goes on the bond. The question in

this case reduces to a mere matter of

dollars and cents—in the case of a rich

man whether it is worth while to take the

chances of affirmation of sentence or for-

feit the bond, which to a rich man is a

comparatively insignificant sum."

Mr. Stimson referred the court to the

case of the United States against Fish,

in which after Fish was convicted in March,

1885, for wrongfully accepting a bribe of

a national bank he was committed as soon

as the jury retired, whereas Morse was

not committed until after the jury had

retired. He said that the Government kept

him in custody until the legality of his con-

viction was affirmed in June.

In custody, Mr. Stimson said, Morse

would have every expedient of his ap-

peal, whereas he reminded them of the

honors that the process was always

slower when a defendant was out on bail.

And the list of prominent offenders

who have jumped their bail and kept in

this district, said Mr. Stimson, is ap-

palling.

He mentioned several, some of whom

had jumped bail for as much as \$20,000.

He spoke of Greene and Gaylor and he

spoke also of two lesser criminals, Tucker

and Parker, who appealed and had only

very recently been released. He said that

very few of those who jump bail and re-

main in this district (the District Attorney's

office was now trying in vain to ascertain

where they were) are ever brought to

justice.

Mr. Macfarlane referred to the case

of John R. Walsh of Chicago, whose trial

NO PLATE FOR SAM GOMPERS

HE IS ON THE UNFAIR LIST AT
THE WHITE HOUSE.

So Also Are Three of His Compatriots
—The President Invites Other Labor
Leaders, Including John Mitchell,
to a Dinner at the White House.

WASHINGTON, Nov. 9.—The unfair list
has been established at the White House
in matters social, and Samuel Gompers
finds himself at last a victim of the "we
don't patronize" ban.

President Roosevelt created something
of a stir to-day by allowing the announce-
ment to escape that he would give a dinner
at the White House on November 17 at
which the principal guests will be officers
of the American Federation of Labor—
except Samuel Gompers and his com-
patriots who worked against Taft in the
late campaign—and to meet them will be
invited certain high officials in the
President's Administration and United
States Circuit and District Judges. The
announced purpose of the dinner is to
bring the labor leaders and the Federal
judiciary into closer relations, leaving out
Mr. Gompers and three of his conferees
who are admittedly "unfair."

There is a belief in Washington that
President Roosevelt has decided to elimi-
nate Samuel Gompers, James O'Connell,
Frank Morrison and John E. Lennon
from the official roster of the A. F. of L.
and has taken the dinner method of
doing it. By inviting all other conspicu-
ous officers of the organization, including
John Mitchell, he suggests very plainly
that if Gompers, O'Connell, Morrison and
Lennon are invited, they will be invited
from the present Administration if must
approach the powers that be through
other mediums than the four officers
who were not invited to dine.

There is a report to-day that President
Taft will also be invited to be present,
but this could not be confirmed.

The President feels very bitterly toward
Gompers for publishing the private letter
written to him by the President in which
Mr. Roosevelt suggested that the presi-
dent of the federation, then his friend,
would be amused to learn that he had
sent a copy of Prof. Alger's book to As-
sociate Justice Day and McKenna.

The President's guests for the "labor
dinner" announced informally are as
follows:

John Mitchell, formerly president of
the Mine Workers and now a vice-presi-
dent of the federation; T. V. Powderly,
formerly the head of the Knights of Labor
and now an official of the Department of
Commerce and Labor; F. H. Morrissey of
the Brotherhood of Railway Trainmen,
Grand Chief Engineer Stone of the Loco-
motive Engineers, President Faulkner of
the Amalgamated Window Glass Workers
of America, Secretary Dolan of the Inter-
national Association of Steam Shoemakers,
President O'Keefe of the Longshoremen's
Union, Vice-president Duncan of the
A. F. of L., who is also head of the Granite
Cutters International Association; At-
torney Gavegan of the Central Building
Trades Association of New York and a
number of others whose names were not
disclosed.

Election Returns by Telephone.

The quickness with which the result on
election night was known throughout
the country was aided in a large measure
by a plan for gathering and distributing
returns by the American Telephone and
Telegraph Company. One had not to go
to the theatre or push through the
crowds about the bulletins to learn who
was getting the votes. All you had to
do was to take down the telephone and ask
central to tell you all about it. The in-
dividual companies were enabled to ex-
change information through the con-
necting agency of the long distance lines
of the American Telephone and Tele-
graph Company. The central offices
in the various towns collected the story
of how things were going in that region
and sent it on to a State central station,
from there the information was sent
also to the distributing centres of other
States. The more important bulletins
were sent directly to New York, the main
distributing centre of the American com-
pany.

It was estimated that 4,000,000 sub-
scribers in 40,000 towns and cities got the
story of the election by telephone.

New Tenderloin Commanders See Jerome.

Inspector McCluskey and Capt. John
O'Brien, the new police commanders of
the Tenderloin, and Acting Capt. Murphy,
who was put out, talked with District
Attorney Jerome yesterday about gam-
bling in the precinct, which has been of
interest to Mr. Jerome for more than a
month.

Death Rate Stays Down.

The weekly percentage of deaths in
Greater New York continues to be less
than that of last year, according to
the statistics of the Board of Health. The
number of deaths last week was 1,150,
a percentage of 13.45. In the correspond-
ing week of 1907 there were 1,248 deaths,
a percentage of 15.19.

John Jameson
Whiskey

Not Blended
Not Compounded
Not "Doctored"

A Straight Malt Whiskey—Just as it
comes from the still. Aged in wood.
W. A. TAYLOR & CO. Agents, New York.

English "Heel or Boil"
Dish Warmers,
Tea and Coffee Sets
In Copper and Brass

LEWIS & CONGER
130 & 132 West 42d St., New York

HOSKINS
"Everything For Your Office"
BROADWAY
354
NEAR LEONARD
2 Blocks from North St. Sub.

First Tap Finishes John Vanderbeck.
Who Had a Weak Heart.